

Application Serial No: 09/835,863
Attorney Docket No.: ACT-125

REMARKS

Entry of the foregoing, reexamination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.112, and light of the remarks that follow are respectfully requested.

Claims 1-20 are pending in the application, claims 13-20 having been newly presented above. Support for the new claims can be found in the original application at least at Figure 1 (claims 13-15 and 18-20) and page 5, lines 15-17 (claims 16 and 17).

By the amendments, the title of the invention, the specification and various claims have been amended. Claims 1 and 11 have been amended by pointing out that the first and second sides are exterior sides and by replacing the "plurality of waveguides" with a "planar waveguide structure". Claim 11 has further been revised to point out that a first depression is formed between the first exterior side and the lid and a second depression is formed between the second exterior side and the lid. Support for these amendments can be found at least in Figure 1 and in the specification at page 5, lines 22-23. Various claims have been amended to incorporate "comprising" language. The remaining claim amendments are for consistency with the independent claim amendments or otherwise for form.

Turning now to the Official Action, the title of the invention has been deemed not descriptive of the invention. While applicants respectfully disagree with this statement, a new title of the invention has been added above.

The disclosure stands objected to for the reasons set forth in section 2 of the Official Action. Those portions of the specification found objectionable have been revised for further clarification. Accordingly, withdrawal of this objection is respectfully requested.

Claims 1-7 and 9-10 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Mettler et al* (U.S. Patent No. 5,703,973). This rejection is respectfully traversed for at least the following reasons.

The present invention relates to optical interconnects. Amended claim 1, for example, sets forth an optical interconnect. The interconnect includes: a waveguide holder comprising a first exterior side and a second exterior side. The first exterior side comprises a first depression and the second exterior side comprises a second depression.

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The waveguide holder has an opening therein. A planar waveguide structure is disposed in the opening.

It is well established, that in order to establish anticipation under §102(b), each element of the claim in issue must be found, either expressly described or under principles of inherency, in a single prior art reference. Kalman v. Kimberly-Clark Corp., 218 USPQ 789 (Fed. Cir. 1983). That is not the case here.

Mettler et al relates to an optical integrated circuit that is interconnected to a fiber array (col. 1, lines 7-8).

Mettler et al does not disclose or suggest each and every feature of the present invention. For example, *Mettler et al* does not disclose or fairly suggest a waveguide holder comprising a first exterior side and a second exterior side having first and second depressions, respectively, as set forth in independent claim 1. The Official Action states that:

an edge of the lid [250] and the substrate [200] define a depression on one side and similar one on the other side at the ends of the waveguides" (Official Action at page 3).

Applicants respectfully disagree. *Mettler et al* does not appear to disclose depressions defined by an edge of the "lid" and "substrate", as purported in the Official Action. Accordingly, withdrawal of this rejection is in order.

Claims 8 and 11 stand rejected under 35 USC §102(b) as being anticipated by *Nakamura et al* (U.S. Patent No. 5,361,382). This rejection is respectfully traversed for at least the following reasons.

Independent claim 11, as amended above, sets forth an optical interconnect. The optical interconnect features a substrate comprising a first exterior side with a first edge and a second exterior side with a second edge. A planar waveguide structure is disposed over the substrate. A lid is disposed on the planar waveguide structure. A first depression is formed between the first exterior side and the lid and a second depression is formed between the second exterior side and the lid.

Nakamura et al relates to a method of connecting optical waveguides and optical fibers used in an optical communication system (col. 1, lines 6-8).

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Nakamura et al does not disclose or suggest each feature of the present invention. For example, *Nakamura et al* does not disclose or fairly suggest a waveguide holder comprising a first exterior side and a second exterior side having first and second depressions, respectively, as set forth in independent claim 1. Nor does that document disclose or fairly suggest a first depression formed between a first exterior side of a substrate and lid and a second depression formed between a second exterior side of a substrate and lid, as set forth in independent claim 11.

Accordingly, withdrawal of the §102(b) rejection based on *Nakamura et al* is respectfully requested.

Claim 12 stand rejected under 35 USC §102(b) as being anticipated by *Watanabe*. This rejection is respectfully traversed for at least the following reasons. Applicants have reviewed the present application file and can find no document of record that one would refer to as "*Watanabe*". Accordingly, withdrawal the rejection or clarification thereof is respectfully requested.

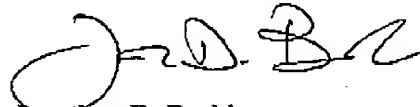
As a final matter, it is noted that the newly presented dependent claims are allowable for the reasons set forth above with respect to the corresponding independent claims. Regarding independent claim 20, it is noted that neither *Mettler et al* nor *Nakamura et al* disclose or suggest an optical interconnect, wherein an external surface of the substrate and lid together form a depression for receiving an alignment pin.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited.

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If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned to expedite prosecution of the subject application.

Respectfully submitted,



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